

**DEPARTMENT OF VETERANS AFFAIRS**  
**Justification and Approval**  
**For**  
**Other Than Full and Open Competition**

1. **Contracting Activity:** Department of Veterans Affairs, VISN 15, VA Medical Center 2401 W. Main St., Marion, IL 62959 2237 #: 657-12-2-2031-0237
2. **Nature and/or Description of the Action Being Processed:** Emergency Repair of Philips (formerly ADAC) Nuclear medicine camera at the Marion VA Medical Center. Replacement of Roll limit assembly Part # 4536 602 25221, FCO kit Part # 4535 604 14591 and an estimated eight hours of labor on Monday 27 February 2012 for repair of the system. If additional problems are found, additional parts and labor charges may apply. The approximate repair total is \$6,700.00.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** Emergency Repair of Philips (formerly ADAC) Nuclear medicine camera at the Marion VA Medical Center. Replacement of Roll limit assembly Part # 4536 602 25221, FCO kit Part # 4535 604 14591 and an estimated eight hours of labor on Monday 27 February 2012 for repair of the system. If additional problems are found, additional parts and labor charges may apply. The approximate repair total is \$6,700.00.
4. **Statutory Authority Permitting Other than Full and Open Competition:**
  - ( ) (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1;
  - (X) (2) Unusual and Compelling Urgency per FAR 6.302-2;
  - ( ) (3) Industrial Mobilization, Engineering, Developmental or Research Capability or Expert Services per FAR 6.302-3;
  - ( ) (4) International Agreement per FAR 6.302-4
  - ( ) (5) Authorized or Required by Statute FAR 6.302-5;
  - ( ) (6) National Security per FAR 6.302-6;
  - ( ) (7) Public Interest per FAR 6.302-7;

**5. Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):**

*b. Unusual and Compelling Urgency (FAR 6.302-2, 6.303-2(a)(9)(ii))* - Emergency Repair of Philips Nuclear Medicine Camera. This equipment is essential for the diagnosis and treatment of our veteran patients. Repairs to the equipment are needed at once to preclude impairment of healthcare delivery capabilities, patient evaluation and treatment, and potentially adverse impact to Veteran care and mission performance. This equipment is used on average 8 times per day, in many cases involving time critical situations related to patient care. Transport or referral of patients to other locations for this service while the equipment is down is not a viable option. The result would be a substantial duplication of costs and undue medical delays. These procedures are typically scheduled weeks in advance, with the exception of emergency cases.

This proposed vendor, Philips Healthcare, has the parts and trained service engineers available to provide a quick response time. In the past, BC Technical, a large business was used for such repairs, but



they are located out of Utah, which creates a longer response time. We have an emergency situation and Philips is local, has the parts and is ready to immediately do the work. Delay in the award of this contract could result in serious financial injury to the government as the potential costs to send patients to other locations far exceeds the potential cost savings to repair the damaged nuclear camera through a competitive process, without any consideration to the inconvenience and potential medical risk to VA patients.

**6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** The contracting officer queried Vet Biz for NAICS coded 811219 (Other Electronic and Precision Equipment Repair and Maintenance Contractors) and determined there was 1 SDVOSB in the Kansas City area and two VOSB contractors in the St. Louis and Chicago area that could potentially do the work. The contracting officer also queried CCR to determine the number of small businesses in Missouri and Illinois for NAICS code 811219. CCR showed there were 93 potential small business contractors that could do the work in Illinois and 59 in Missouri. It is anticipated that very few of the small businesses noted from the query would have the parts or service team readily available to respond to this immediate need for repair. Delay in the award of this contract could result in serious financial injury to the government as the costs to send patients to other locations for this essential medical service far exceeds the potential cost savings to repair the damaged nuclear camera through a competitive process.

**7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** Based on the customer's independent government estimate of \$7,455.00 and the consideration that the overall cost of the necessary repairs by the contractor is reduced by the fact that they are in the area and can immediately proceed with this crucial and timely work, the cost is determined to be fair and reasonable.

**8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Market research was conducted using Vet Biz and CCR for NAICS code 811219. Based on the market research, there were potentially 3 SDVOSB/VOSB and 152 small business contractors that could potentially do the work, but given the delays inherent with efforts to complete this repair, a departure from full and open competition is necessary. The potential cost, inconvenience, and often times the inability to send patients to other locations given their medical conditions, justifies the necessity of the repair of the damaged nuclear camera through other than a competitive process.

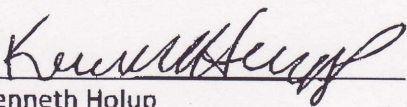
**9. Any Other Facts Supporting the Use of Other than Full and Open Competition:** Although there are potential small business firms that can do this work, this emergency situation justifies the award of this sole source repair contract to Philips Healthcare, a large contractor. By virtue of the fact that the contractor is readily available, has the necessary repair parts available and is willing to do the work on short notice, this sole source procurement will potentially avoid serious financial injury to the government, and the potential loss and/or delay of crucial healthcare equipment and systems to our veterans.

**10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** No other potential vendors were asked to submit a quote due to the emergency nature of this repair.



**11. A Statement of the Actions, if any, the Agency May Take to Remove or Overcome any Barriers to Competition before Making subsequent acquisitions for the supplies or services required:** This type of emergency repair is difficult to plan for. In the future, the facility will make every effort to contact a SDVOSB, VOSB or small business firm to provide quotes as soon as the problem is identified. Other than immediate response to such emergencies, the facility can only plan to replace aging equipment, subject to budgetary considerations, before such equipment fails and creates an emergency or set up the equipment on a service and maintenance contract which can be very expensive.


**12. Requirements Certification:** I certify that the requirement outlined in this justification is a Bona Fide Need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.

  
Kenneth Holup  
Biomedical Tech  
VAMC Marion, IL

2-29-2012  
Date

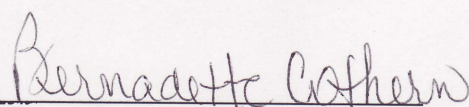
**13. Approvals in accordance with FAR 6.304**

**a. Contracting Officer's Certification: (required)** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

  
MIKE CRADER  
CONTRACTING OFFICER  
NCO 15

2-29-2012  
Date

**b. NCM/PCM :** I certify the justification meets requirements for other than full and open competition.

  
BERNADETTE COTHERN  
NETWORK CONTRACT MANAGER  
NCO 15

2-29-2012  
Date